

a much less amount of said ingredients; that the representations and statements upon said brands and labels upon the cottonseed meal were false, untrue, misleading, and calculated to deceive the purchaser or purchasers of said cottonseed meal.

On December 31, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$100, with costs of \$12.75.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2955. Misbranding of Elixir Tripoli. U. S. v. Italian Importing Co. Plea of guilty. Fine, \$35.**  
(F. & D. No. 4721. I. S. No. 20738-d.)

On June 23, 1913, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Italian Importing Co., a corporation, New York, N. Y., alleging shipment by said company in violation of the Food and Drugs Act, on March 14, 1912, from the State of New York into the State of Pennsylvania, of a quantity of so-called Elixir Tripoli, which was misbranded. The product was labeled: "Elixir Tripoli. High Class Cordial. Liquore Finissimo. Guaranteed by Italian Importing Company, New York. Under Serial No. 19441." The label also bore a design indicating Arabs and camels. From an examination of a sample of the product by the Bureau of Chemistry of this department, it appeared that the same was manufactured in the United States. Misbranding of the product was alleged in the information, for the reason that it was branded and labeled so as to deceive and mislead the purchaser thereof, in that the label thereon bore statements, designs, and devices regarding the article and the ingredients and substances contained therein which were false and misleading, in that said statements, designs, and devices would indicate that the article was a foreign product, to wit, a product of Tripoli, whereas, in truth and in fact, it was a product of the United States. Misbranding was alleged for the further reason that the article purported to be a foreign product, to wit, a product of Tripoli, when it was not so, but was a product of the United States.

On October 20, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$35.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2956. Adulteration and misbranding of condensed milk. U. S. v. Sumner G. Berry. Plea of guilty. Fine, \$10 and costs.** (F. & D. No. 4727. I. S. Nos. 124-e, 125-e, and 126-e.)

On February 13, 1913, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sumner G. Berry, doing business under the name and style of Ashley Milk Co., Ashley, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on August 26, 1912, from the State of Illinois into the State of Missouri, of a quantity of condensed milk which was adulterated and misbranded. The product was labeled:

(Sample No. 1): (On can top) "S. M. C. Co., Nashville, Ill." (Side) "Ashley Milk Co., Ashley, Ill." (Tag) "Bill inside this tag. To American I. C. Co., St. Louis, Mo. No. cans in shipment—date—Wash cans and return promptly to Ashley Milk Co., Ashley, Ill." (Tag) "Louisville & Nashville R. R. Co. When filled this can is to be delivered to American I. C. Co., St. Louis, Mo., 1411."

(Sample No. 2): (On can top) "Ashley, Ill." (Side) "Ashley Milk Co., Ashley, Ill." (Tag) "Louisville & Nashville R. R. Co. When filled this can is to be delivered to American I. C. Co., St. Louis, Mo., 1412."

(Sample No. 3): (On can top) "Ashley, Ill." (Side) "Ashley Milk Co., Ashley, Ill." (Tag) "Louisville & Nashville R. R. Co. When filled this can is to be delivered to American I. C. Co., St. Louis, Mo., 1414."

Analysis of samples of the product by the Bureau of Chemistry of this department showed the following results:

	Sample No. 1.	Sample No. 2.	Sample No. 3.
	<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Solids by evaporation.....	29.08	28.03	28.00
Fat by Roesse Gottlieb.....	6.05	5.85	5.81
Solids not fat.....	23.03	22.18	22.19
Fat in solids.....	20.80	20.87	20.73

Adulteration of the product was alleged in the information for the reason that a valuable constituent thereof, to wit, fat, was in part abstracted therefrom. Misbranding was alleged for the reason that the product was offered for sale under the distinctive name of another article, to wit, 10 per cent condensed whole milk—that is to say, milk containing 10 per cent fat—whereas, in truth and in fact, it was not 10 per cent condensed whole milk, and did not contain 10 per cent fat, but on the contrary contained only, to wit, 6 per cent of fat.

On May 7, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$10 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2957. Adulteration and misbranding of mace. U. S. v. Ohio Spice & Extract Co. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 4731. I. S. No. 21328-d.)**

On April 3, 1913, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ohio Spice & Extract Co., a corporation, Toledo, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 4, 1911, from the State of Ohio into the State of Missouri, of a quantity of mace which was adulterated and misbranded. The product was labeled: "Guthrie's Best Mace. Guaranteed Pure Ground Especially for Guthrie's Mercantile Co., Bakers' and Confectioners' Supplies—Wholesale Flour—St. Joseph, Mo." Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile ether extract (per cent).....	40.04
Ash (per cent).....	4.11
Ash insoluble in HCl (per cent).....	0.26
Crude fiber (per cent).....	4.40
Hefelmann's test for Bombay mace.....	Positive.
Waage's test for Bombay mace.....	Positive.

Microscopic examination showed that the product contained a large amount of Bombay mace. Adulteration of the product was alleged in the information for the reason that a substance, to wit, Bombay or false mace had been mixed or packed with it so as to reduce and lower and injuriously affect its quality and strength, said substance having been substituted wholly or in part for pure, genuine mace, which the article purported to be. Misbranding of the product was alleged for the reason that the statement on the label thereof "Guthrie's Best Mace" was false and misleading, in that it conveyed the impression that the article was pure mace, whereas, in fact, it consisted in whole or in part of Bombay or false mace. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser into believing it was pure mace, whereas, in fact, it was Bombay or false mace.